

(B) If the head of the executive agency determines that the report required by paragraph (1) was not submitted or that the required certification was not included in the submitted report, the function for which the public-private competition was conducted for which the objection was submitted may not be the subject of a solicitation of offers for, or award of, a contract until, respectively, the report is submitted or a report containing the certification in full compliance with the certification requirement is submitted.

**(d) Exemption for the purchase of products and services of the blind and other severely handicapped persons**

This section shall not apply to a commercial or industrial type function of an executive agency that—

(1) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47); or

(2) is planned to be changed to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped persons in accordance with that Act [41 U.S.C. 46 et seq.].

**(e) Inapplicability during war or emergency**

The provisions of this section shall not apply during war or during a period of national emergency declared by the President or Congress.

(Pub. L. 93-400, § 43, as added Pub. L. 110-181, div. A, title III, § 327(a), Jan. 28, 2008, 122 Stat. 63.)

REFERENCES IN TEXT

That Act, referred to in subsec. (d)(2), meaning the Javits-Wagner-O'Day Act, is act June 25, 1938, ch. 697, 52 Stat. 1196, which is classified to sections 46 to 48c of this title. For complete classification of this Act to the Code, see Short Title note set out under section 46 of this title and Tables.

**§ 440. Contingency Contracting Corps**

**(a) Establishment**

The Administrator of General Services, pursuant to policies established by the Office of Management and Budget, and in consultation with the Secretary of Defense and the Secretary of Homeland Security, shall establish a Governmentwide Contingency Contracting Corps (in this section referred to as the "Corps"). The members of the Corps shall be available for deployment in responding to an emergency or major disaster, or a contingency operation, both within or outside the continental United States.

**(b) Applicability**

The authorities provided in this section apply with respect to any procurement of property or services by or for an executive agency that, as determined by the head of such executive agency, are to be used—

(1) in support of a contingency operation as defined in section 101(a)(13) of title 10; or

(2) to respond to an emergency or major disaster as defined in section 5122 of title 42.

**(c) Membership**

Membership in the Corps shall be voluntary and open to all Federal employees and members of the Armed Forces who are members of the Federal acquisition workforce.

**(d) Education and training**

The Administrator may, in consultation with the Director of the Federal Acquisition Institute and the Chief Acquisition Officers Council, establish educational and training requirements for members of the Corps. Education and training carried out pursuant to such requirements shall be paid for from funds available in the acquisition workforce training fund established pursuant to section 433(h)(3) of this title.

**(e) Salary**

The salary for a member of the Corps shall be paid—

(1) in the case of a member of the Armed Forces, out of funds available to the Armed Force concerned; and

(2) in the case of a Federal employee, out of funds available to the employing agency.

**(f) Authority to deploy the Corps**

(1) The Director of the Office of Management and Budget shall have the authority, upon request by an executive agency, to determine when members of the Corps shall be deployed, with the concurrence of the head of the agency or agencies employing the members to be deployed.

(2) Nothing in this section shall preclude the Secretary of Defense or the Secretary's designee from deploying members of the Armed Forces or civilian personnel of the Department of Defense in support of a contingency operation as defined in section 101(a)(13) of title 10.

**(g) Annual report**

**(1) In general**

The Administrator of General Services shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate and the Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives an annual report on the status of the Contingency Contracting Corps as of September 30 of each fiscal year.

**(2) Content**

At a minimum, each report under paragraph (1) shall include the number of members of the Contingency Contracting Corps, the total cost of operating the program, the number of deployments of members of the program, and the performance of members of the program in deployment.

(Pub. L. 93-400, § 44, as added Pub. L. 110-417, [div. A], title VIII, § 870(a), Oct. 14, 2008, 122 Stat. 4554.)

**CHAPTER 8—FEDERAL GRANTS AND COOPERATIVE AGREEMENTS**

**§§ 501 to 509. Repealed. Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1083**

Section 501, Pub. L. 95-224, § 2, Feb. 3, 1978, 92 Stat. 3, set out the Congressional findings and statement of purposes in enacting the Federal Grant and Cooperative Agreement Act of 1977 [this chapter]. Sections 1 and 10(b) of Pub. L. 95-224, setting out the short title provisions and savings provisions respectively of that Act, were set out as notes under this section, and were